

November 24, 2021

Via ECF

Hon. Katherine Polk Failla
 United States District Judge
 United States Courthouse
 500 Pearl Street
 New York, New York 10007

MEMO ENDORSED**Re: *United States v. Lambrakis*, 17 Cr. 208**

Dear Judge Failla:

I write with an urgent request to allow Dr. Lambrakis to delay his surrender for a short time so that we can attempt to get the Bureau of Prisons to revisit his designation, which we only received today through AUSA Mortazavi. Dr. Lambrakis has yet to receive his official designation letter—it was only by calling and emailing the Marshals, the Probation Department and the US Attorney’s Office that we were, days later, able to get a response as to where Dr. Lambrakis was to surrender on Monday.

As the Court may recall, Your Honor’s recommendation for designation in the Judgment was “The Court recommends that the Defendant be designated to Federal Medical Center Devens, or, if there is no space available at that facility, then to the nearest available federal medical center.” Yet today we were informed that he is to report to Fort Dix, a large prison complex with no advanced medical care available onsite.

As per the Bureau of Prisons’ 2019 publication *Care Level Classification for Medical and Mental Health Conditions or Disabilities*, Dr. Lambrakis should qualify as a Care Level 3, not a Care Level 2 inmate. Fort Dix is designated as a Care Level 2 facility. Perhaps because he has not been in custody recently, this was not clear to the BOP.

Dr. Lambrakis’ wife indicates that his condition continues to worsen; he is in constant pain and he spends much of his day in bed. As such, we believe he will rapidly decline if he must surrender to Fort Dix.

Thank you for your consideration.

Respectfully submitted,



Peter E. Brill

Application GRANTED. Dr. Lambrakis's surrender date shall be delayed by two weeks, until December 13, 2021, to permit defense counsel time to communicate with the Bureau of Prisons regarding his designation.

The Clerk of Court is directed to terminate the pending motion at docket entry 145.

Date: November 24, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE